

Homo contractus

I had hoped to serve my country, but instead I went to work for it. This is not a trivial distinction. The sort of honorable stability offered to my father and Pop wasn't quite as available to me, or to anyone of my generation. Both my father and Pop entered the service of their country on the first day of their working lives and retired from that service on the last. That was the American government that was familiar to me, from earliest childhood—when it had helped to feed, clothe, and house me—to the moment when it had cleared me to go into the Intelligence Community. That government had treated a citizen's service like a compact: it would provide for you and your family, in return for your integrity and the prime years of your life.

But I came into the IC during a different age.

By the time I arrived, the sincerity of public service had given way to the greed of the private sector, and the sacred compact of the soldier, officer, and career civil servant was being replaced by the unholy bargain of *Homo contractus*, the primary species of US Government 2.0. This creature was not a sworn servant but a transient worker, whose patriotism was incentivized by a better paycheck and for whom the federal government was less the ultimate authority than the ultimate client.

During the American Revolution, it had made sense for the Continental Congress to hire privateers and mercenaries to protect the independence of what was then barely a functioning republic. But for third-millennium hyperpower America to rely on privatized forces for the national defense struck me as strange and vaguely sinister. Indeed, today contracting is most often associated with its major failures, such as the fighting-for-hire work of Blackwater (which changed its name to Xe Services after its employees were

convicted of killing fourteen Iraqi civilians, and then changed its name again to Academi after it was acquired by a group of private investors), or the torture-for-hire work of CACI and Titan (both of which supplied personnel who terrorized prisoners at Abu Ghraib).

These sensationalist cases can lead the public to believe that the government employs contractors in order to maintain cover and deniability, off-loading the illegal or quasi-legal dirty work to keep its hands clean and conscience clear. But that's not entirely true, or at least not entirely true in the IC, which tends to focus less on deniability and more on never getting caught in the first place. Instead, the primary purpose served by IC contracting is much more mundane: it's a workaround, a loophole, a hack that lets agencies circumvent federal caps on hiring. Every agency has a head count, a legislative limit that dictates the number of people it can hire to do a certain type of work. But contractors, because they're not directly employed by the federal government, aren't included in that number. The agencies can hire as many of them as they can pay for, and they can pay for as many of them as they want—all they have to do is testify to a few select congressional subcommittees that the terrorists are coming for our children, or the Russians are in our emails, or the Chinese are in our power grid. Congress never says no to this type of begging, which is actually a kind of threat, and reliably capitulates to the IC's demands.

Among the documents that I provided to journalists was the 2013 Black Budget. This is a classified budget in which over 68 percent of its money, \$52.6 billion, was dedicated to the IC, including funding for 107,035 IC employees—more than a fifth of whom, some 21,800 people, were full-time contractors. And that number doesn't even include the tens of thousands more employed by companies that have signed contracts (or subcontracts, or sub-subcontracts) with the agencies for a specific service or project. Those contractors are never counted by the government, not even in the Black Budget, because to add their ranks to the contracting total would make one disturbing fact extraordinarily clear: the work of American Intelligence is done as frequently by private employees as it is by government servants.

To be sure, there are many, even in government, who maintain that this trickle-down scheme is advantageous. With contractors, they say, the government can encourage competitive bidding to keep costs down, and isn't on the hook to pay pensions and benefits. But the real advantage for

government officials is the conflict of interest inherent in the budgeting process itself. IC directors ask Congress for money to rent contract workers from private companies, congresspeople approve that money, and then those IC directors and congresspeople are rewarded, after they retire from office, by being given high-paying positions and consultancies with the very companies they've just enriched. From the vantage of the corporate boardroom, contracting functions as governmentally assisted corruption. It's America's most legal and convenient method of transferring public money to the private purse.

But however much the work of Intelligence is privatized, the federal government remains the only authority that can grant an individual clearance to access classified information. And because clearance candidates must be sponsored in order to apply for clearance—meaning they must already have a job offer for a position that requires clearance—most contractors begin their careers in a government position. After all, it's rarely worth the expense for a private company to sponsor your clearance application and then pay you to wait around for a year for the government's approval. It makes more financial sense for a company to just hire an already-cleared government employee. The situation created by this economy is one in which government bears all the burdens of background checks but reaps few of the benefits. It must do all of the work and assume all of the expense of clearing a candidate, who, the moment they have their clearance, more often than not bolts for the door, exchanging the blue badge of the government employee for the green badge of the contractor. The joke was that the green symbolized "money."

The government job that had sponsored me for my TS/SCI clearance wasn't the one I wanted, but the one I could find: I was officially an employee of the state of Maryland, working for the University of Maryland at College Park. The university was helping the NSA open a new institution called CASL, the Center for Advanced Study of Language.

CASL's ostensible mission was to study how people learned languages and to develop computer-assisted methods to help them do so more quickly and better. The hidden corollary of this mission was that the NSA also wanted to develop ways to improve computer comprehension of language. If the other agencies were having difficulties finding competent Arabic (and Farsi and Dari and Pashto and Kurdish) speakers who passed their often ridiculous security checks to translate and interpret on the ground—I know

too many Americans rejected merely because they had an inconvenient distant cousin they'd never even met—the NSA was having its own tough time ensuring that its computers could comprehend and analyze the massive amount of foreign-language communications that they were intercepting.

I don't have a more granular idea of the kinds of things that CASL was supposed to do, for the simple reason that when I showed up for work with my bright, shiny clearance, the place wasn't even open yet. In fact, its building was still under construction. Until it was finished and the tech was installed, my job was essentially that of a night-shift security guard. My responsibilities were limited to showing up every day to patrol the empty halls after the construction workers—those other contractors—were finished, making sure that nobody burned down the building or broke in and bugged it. I spent hour after hour making rounds through the half-completed shell, inspecting the day's progress: trying out the chairs that had just been installed in the state-of-the-art auditorium, casting stones back and forth across the suddenly graveled roof, admiring the new drywall, and literally watching the paint dry.

This is the life of after-hours security at a top secret facility, and truthfully I didn't mind it. I was getting paid to do basically nothing but wander in the dark with my thoughts, and I had all the time in the world to use the one functioning computer that I had access to on the premises to search for a new position. During the daytime, I caught up on my sleep and went out on photography expeditions with Lindsay, who—thanks to my wooing and scheming—had finally dumped her other boyfriends.

At the time I was still naive enough to think that my position with CASL would be a bridge to a full-time federal career. But the more I looked around, the more I was amazed to find that there were very few opportunities to serve my country directly, at least in a meaningful technical role. I had a better chance of working as a contractor for a private company that served my country for profit; and I had the best chance, it turned out, of working as a subcontractor for a private company that contracted with another private company that served my country for profit. The realization was dizzying.

It was particularly bizarre to me that most of the systems engineering and systems administration jobs that were out there were private, because these positions came with almost universal access to the employer's digital existence. It's unimaginable that a major bank or even a social media outfit

would hire outsiders for systems-level work. In the context of the US government, however, restructuring your intelligence agencies so that your most sensitive systems were being run by somebody who didn't really work for you was what passed for innovation.

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THE AGENCIES WERE hiring tech companies to hire kids, and then they were giving them the keys to the kingdom, because—as Congress and the press were told—the agencies didn't have a choice. No one else knew how the keys, or the kingdom, worked. I tried to rationalize all this into a pretext for optimism. I swallowed my incredulity, put together a résumé, and went to the job fairs, which, at least in the early aughts, were the primary venues where contractors found new work and government employees were poached. These fairs went by the dubious name of “Clearance Jobs”—I think I was the only one who found that double meaning funny.

At the time, these events were held every month at the Ritz-Carlton in Tysons Corner, Virginia, just down the road from the CIA's headquarters, or at one of the grubbier Marriott-type hotels near the NSA's headquarters at Fort Meade. They were pretty much like any other job fair, I'm told, with one crucial exception: here, it always felt like there were more recruiters than there were recruits. That should give you an indication of the industry's appetite. The recruiters paid a lot of money to be at these fairs, because these were the only places in the country where everyone who walked through the door wearing their stickum name tag badge had supposedly already been prescreened online and cross-checked with the agencies—and so was presumed to already have a clearance, and probably also the requisite skills.

Once you left the well-appointed hotel lobby for the all-business ballroom, you entered Planet Contractor. Everybody would be there: this wasn't the University of Maryland anymore—this was Lockheed Martin, BAE Systems, Booz Allen Hamilton, DynCorp, Titan, CACI, SAIC, COMSO, as well as a hundred other different acronyms I'd never heard of. Some contractors had tables, but the larger ones had booths that were fully furnished and equipped with refreshments.

After you handed a prospective employer a copy of your résumé and small-talked a bit, in a sort of informal interview, they'd break out their

binders, which contained lists of all the government billets they were trying to fill. But because this work touched on the clandestine, the billets were accompanied not by standardized job titles and traditional job descriptions but with intentionally obscure, coded verbiage that was often particular to each contractor. One company's Senior Developer 3 might or might not be equivalent to another company's Principal Analyst 2, for example. Frequently the only way to differentiate among these positions was to note that each specified its own requirements of years of experience, level of certifications, and type of security clearance.

After the 2013 revelations, the US government would try to disparage me by referring to me as "only a contractor" or "a former Dell employee," with the implication that I didn't enjoy the same kinds of clearance and access as a blue-badged agency staffer. Once that discrediting characterization was established, the government proceeded to accuse me of "job-hopping," hinting that I was some sort of disgruntled worker who didn't get along with superiors or an exceptionally ambitious employee dead-set on getting ahead at all costs. The truth is that these were both lies of convenience. The IC knows better than anyone that changing jobs is part of the career track of every contractor: it's a mobility situation that the agencies themselves created, and profit from.

In national security contracting, especially in tech contracting, you often find yourself physically working at an agency facility, but nominally—on paper—working for Dell, or Lockheed Martin, or one of the umpteen smaller firms that frequently get bought by a Dell or a Lockheed Martin. In such an acquisition, of course, the smaller firm's contracts get bought, too, and suddenly there's a different employer and job title on your business card. Your day-to-day work, though, remains the same: you're still sitting at the agency facility, doing your tasks. Nothing has changed at all. Meanwhile, the dozen coworkers sitting to your left and right—the same coworkers you work with on the same projects daily—might technically be employed by a dozen different companies, and those companies might still be a few degrees removed from the corporate entities that hold the primary contracts with the agency.

I wish I remembered the exact chronology of my contracting, but I don't have a copy of my résumé anymore—that file, `Edward_Snowden_Resume.doc`, is locked up in the Documents folder of one

of my old home computers, since seized by the FBI. I do recall, however, that my first major contracting gig was actually a subcontracting gig: the CIA had hired BAE Systems, which had hired COMSO, which hired me.

BAE Systems is a midsize American subdivision of British Aerospace, set up expressly to win contracts from the American IC. COMSO was basically its recruiter, a few folks who spent all their time driving around the Beltway trying to find the actual contractors (“the asses”) and sign them up (“put the asses in chairs”). Of all the companies I talked to at the job fairs, COMSO was the hungriest, perhaps because it was among the smallest. I never learned what the company’s acronym stood for, or even if it stood for anything. Technically speaking, COMSO would be my employer, but I never worked a single day at a COMSO office, or at a BAE Systems office, and few contractors ever would. I’d only work at CIA headquarters.

In fact, I only ever visited the COMSO office, which was in Greenbelt, Maryland, maybe two or three times in my life. One of these was when I went down there to negotiate my salary and sign some paperwork. At CASL I’d been making around \$30K/year, but that job didn’t have anything to do with technology, so I felt comfortable asking COMSO for \$50K. When I named that figure to the guy behind the desk, he said, “What about \$60K?”

At the time I was so inexperienced, I didn’t understand why he was trying to overpay me. I knew, I guess, that this wasn’t ultimately COMSO’s money, but I only later understood that some of the contracts that COMSO and BAE and others handled were of the type that’s called “cost-plus.” This meant that the middlemen contractors billed the agencies for whatever an employee got paid, plus a fee of 3 to 5 percent of that every year. Bumping up salaries was in everyone’s interest—everyone’s, that is, except the taxpayer’s.

The COMSO guy eventually talked me, or himself, up to \$62K, as a result of my once again agreeing to work the night shift. He held out his hand and, as I shook it, he introduced himself to me as my “manager.” He went on to explain that the title was just a formality, and that I’d be taking my orders directly from the CIA. “If all goes well,” he said, “we’ll never meet again.”

In the spy movies and TV shows, when someone tells you something like that, it usually means that you’re about to go on a dangerous mission and might die. But in real spy life it just means, “Congratulations on the job.” By the time I was out the door, I’m sure he’d already forgotten my face.

I left that meeting in a buoyant mood, but on the drive back, reality set in:

this, I realized, was going to be my daily commute. If I was going to still live in Ellicott City, Maryland, in proximity to Lindsay, but work at the CIA in Virginia, my commute could be up to an hour and a half each way in Beltway gridlock, and that would be the end of me. I knew it wouldn't take long before I'd start to lose my mind. There weren't enough books on tape in the universe.

I couldn't ask Lindsay to move down to Virginia with me because she was still just in her sophomore year at MICA, and had class three days a week. We discussed this, and for cover referred to my job down there as COMSO—as in, “Why does COMSO have to be so far away?” Finally, we decided that I'd find a small place down there, *near COMSO*—just a small place to crash at during the days while I worked at night, *at COMSO*—and then I'd come up to Maryland again every weekend, or she'd come down to me.

I set off to find that place, something smack in the middle of that Venn diagram overlap of cheap enough that I could afford it and nice enough that Lindsay could survive it. It turned out to be a difficult search: Given the number of people who work at the CIA, and the CIA's location in Virginia—where the housing density is, let's say, semirural—the prices were through the roof. The 22100s are some of the most expensive zip codes in America.

Eventually, browsing on Craigslist, I found a room that was surprisingly within my budget, in a house surprisingly near—less than fifteen minutes from—CIA headquarters. I went to check it out, expecting a cruddy bachelor pad pigsty. Instead, I pulled up in front of a large glass-fronted McMansion, immaculately maintained with a topiary lawn that was seasonally decorated. I'm being completely serious when I say that as I approached the place, the smell of pumpkin spice got stronger.

A guy named Gary answered the door. He was older, which I expected from the “Dear Edward” tone of his email, but I hadn't expected him to be so well dressed. He was very tall, with buzz-cut gray hair, and was wearing a suit, and over the suit, an apron. He asked me very politely if I didn't mind waiting a moment. He was just then busy in the kitchen, where he was preparing a tray of apples, sticking cloves in them and dousing them with nutmeg, cinnamon, and sugar.

Once those apples were baking in the oven, Gary showed me the room, which was in the basement, and told me I could move in immediately. I

accepted the offer and put down my security deposit and one month's rent.

Then he told me the house rules, which helpfully rhymed: No mess.

No pets.

No overnight guests.

I confess that I almost immediately violated the first rule, and that I never had any interest in violating the second. As for the third, Gary made an exception for Lindsay.